MISCELLANY.

The Basis of the Doom of the Suicide at Common Law.—Mr Blackstone is thought to have been desirous of putting before his readers the principles of the common law in a favorable light by the statement of some intelligent reason as the basis of each principle; but that he succeeded very well in each instance is a matter of some dispute.

In his fourth volume, after discussing the criminal aspect of self-murder, he says:

"But now the question follows, what punishment can human laws inflict on one who has withdrawn himself from their reach? They can only act on what he has left behind him, his reputation and fortune; on the former by an ignominous burial in the highway with a stake driven through his body; on the latter, by a forfeiture of all his goods and chattels to the King; hoping that care for either his own reputation, or the welfare of his family, would be some motive to restrain him from so desperate an act."

The late Rev. J. C. Atkinson, a careful writer, in his "Forty Years in a Moonland Parish" (MacMillan's 1907), puts the "ignominious burial" in rather a different light stating, as we shall see, that this peculiar method of burial grew out of the grossly superstitious fears of our ancestors.

"There is no doubt," says Mr. Atkinson, "that the self-murderer, or doer of some atrocious deed of violence, murder, or lust, was buried by some lonely roadside, in a road-crossing, or by the wild wood-side, and that the oak, or, oftener, thorn stake was driven through his breast, but not because of any intended scorn, or horror, or abhorrence. These were the characters who—to use an expression common enough among us to this day, though perhaps we do not trouble to think of its origin or meaning—could not rest in their graves. They had to wander, nay, often they were self-constrained to wander about the scenes of their crimes, or the places where their unhallowed carcases were deposited, unless, that is to say, they were prevented; and as they wanted the semblance, the simulacrum, the shadow—substance of their bodies for that purpose—otherwise there could have been no appearance—the body it was which was made secure by pinning it to the bottom of the grave by aid of the driven stake. Here is an explanation which has long been lost sight of, and replaced by notions involving the ideas of ignomy, abhorrence, execration, or what not; and it is just the explanation that was wanted. The corpse of the fearful male-factor, cast out of hallowed ground, as belonging to the devil and not to the saints, must be disabled, as well as the guilty spirit itself, for further mischief or ill-doing."

Insurance Betting.—When Lloyds, the insurance brokers of London, offered to issue a policy for $100,000 to a New York manufacturer at

20 per cent. or 5 to 1, against the contingency of Bryan's success in November, and later took the risk at 10 1-2 per cent. a new class of American insurance contracts was established which may give the court some difficulty should a test case be brought. The New York statutes make betting on an election as much of an offense as betting on a horse race, but Wall street speculators are reported to have accepted Lloyds' proposition with such large amounts that the odds have been forced down to 5 3-4 to 1, the speculators taking upon themselves a chance of collecting without the assistance of a court of law.

The English "gambling act," which was enacted during the reign of George III, provided that no insurance shall be made "on the life or lives of any person or persons, or any other event or events whatsoever, wherein the person or persons for whose use, benefit, or on whose account such policy or policies shall be made shall have no interest, or by way of gaming or wagering." An insurable interest which would entitle the insured to payment for his loss, as defined by the courts, exists when one is so situated with reference to the subject-matter that its destruction will cause him loss of money or legal right, or throw upon him some other liability. Therefore, if the insured had neither title nor right in the property, but stood in such relation to it that he had legal ground for expecting some benefit from its continued existence, or loss from its destruction, as one authority has put it, his contract would be enforceable at law, whereas a gambler's interest would not be recognized.

During a considerable period in the eighteenth century the English were passionately fond of wagering policies, the most of which were posted at Lloyds' coffee house, in London. Money was risked on every imaginable subject, from the birth of twins and the health of the queen to the heads of the peers, but probably the most interesting case was a wager as to the sex of the notorious Chevalier d'Eon, reputed to be a woman in masculine attire. The brokers took risks that by a certain day the Chevalier's sex would not be placed beyond all doubt. At the appointed time and place a multitude of eager bankers, brokers, merchants, and underwriters who had millions at stake, and the idle curious, assembled to see and be convinced. The chevalier, arrayed in the uniform of a French officer and decorated with the order of St. Louis, approached and politely challenged any one present to disprove his manhood with sword or cudgel. Each member of this motley throng gaped at his neighbor aghast and speechless, while the chevalier departed in triumph.

Betting in New York may be under the ban, but the possibilities of insurance seem never to have been thoroughly tested. Wall street can be depended upon to meet any emergency, whether it pertain to the Bryan campaign or the sex of another Chevalier d'Eon—Washington Post.